

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

In the Final Rejection mailed February 6, 2007: claims 13-17, 19, 20, 22-24, 26, 27 and 29 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tarleton; and, claims 18, 21, 25, 28, 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tarleton and further in view of Suzuki et al. and Park. In view of the positions taken by the Examiner, claim 13 has been amended so as to more specifically bring out an inventive feature of the invention.

In this regard, claim 13 recites

A hermetically sealed electrically driven compressor comprising:

a compressor element elastically supported in an enclosed container;

a cup-shaped stopper fixed to an inner upper part of said enclosed container, said cup-shaped stopper having a **curved protrusion extending inwardly from an innermost peripheral surface of said cup-shaped stopper;**

a crankshaft associated with said compressor element, with an upper end portion of said crankshaft extending into said cup-shaped stopper such that said upper end portion of **said crank shaft is designed to contact said curved protrusion upon oscillation of said compressor element;** and

a motor element for driving said compressor element.

In reading claim 13 on Tarleton, the Examiner equated can member 74 of Tarleton to the claimed cup-shaped stopper, and equated element 88 to the claimed curved protrusion extending from an inner peripheral surface of the cup-shaped stopper. Arguably, can member 74 of Tarleton can be said to have three inner peripheral surfaces, with element 88 extending inwardly from one of these surfaces (please see the marked up drawing [Fig. 3] of Tarleton provided herewith). That is, element 88 can be said to extend inwardly from the identified "second inner peripheral surface".

Accordingly, in order to prevent this interpretation, claim 13 now recites that the curved protrusion extends inwardly from an **innermost** peripheral surface of said cup-shaped stopper, which feature is lacking from Tarleton. Specifically, as shown in the marked up drawing of Tarleton, the innermost peripheral surface of can member 74 corresponds to the identified "third inner peripheral surface"; however, element 88 in its entirety is positioned outwardly of this surface. Indeed, in Tarleton there is no structure that extends inwardly from this innermost peripheral surface which is designed to contact crankshaft 48. As such, there is nothing in Tarleton that can be equated to the **curved protrusion extending inwardly from an innermost peripheral surface of the cup-shaped stopper**, as required by claim 13. Thus, claim 13 is not anticipated by Tarleton.

Suzuki et al. and Park do not resolve this deficiency of Tarleton, and accordingly, claim 13 is allowable over any possible combination of the relied-upon references, whereby claims 13-31 are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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